

DOCKETED

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FILED

IN THE UNITED STATES DISTRICT COURT PM 2 30
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BALLY MANUFACTURING CORPORATION,)

Plaintiff,)

v.)

CIVIL ACTION NO. 78 C 2246 ✓

D. GOTTLIEB & CO.,)

WILLIAMS ELECTRONICS, INC.)

and)

ROCKWELL INTERNATIONAL CORPORATION)

Defendants.)

and

BALLY MANUFACTURING CORPORATION,)

Plaintiff,)

v.)

CIVIL ACTION NO. 79 C 713 ✓

GAME PLAN, INCORPORATED)

Defendants.)

NOTICE OF DEPOSITION

TO: Gerson E. Meyers, Esq.
Dressler, Goldsmith, Clement,
Gordon & Shore, Ltd.
1800 Prudential Plaza
Chicago, Illinois 60601

John F. Lynch, Esq.
Arnold, White & Durkee
2100 Transco Tower
Houston, Texas 77056

Melvin M. Goldenberg, Esq.
McDougall, Herish & Scott
135 South LaSalle Street
Suite 1540
Chicago, Illinois 60603

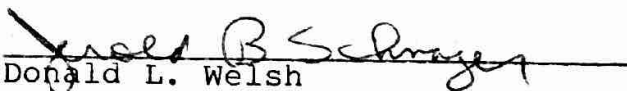
Charles S. Oslakovic, Esq.
Leydig, Voit, Osann,
Mayer & Holt, Ltd.
One IBM Plaza
Room 4600
Chicago, Illinois 60611

PLEASE TAKE NOTICE that at 10:00 a.m. on the 15th day of January, 1980, at the offices of Fitch, Even & Tabin, 135 South LaSalle Street, Chicago, Illinois or other place so agreed to by counsels for the parties, plaintiff Bally Manufacturing Corporation will take the deposition of The John G. Twist Company through its employee Don Beane, Ed Trochell and persons designated by The John G. Twist Company under Rule 30(b) (6) to testify with respect to contacts with Milwaukee Coin Industries (MCI) upon oral examination pursuant to the Federal Rules of Civil Procedure before a Notary Public or other officer authorized by law to administer oaths. Oral examination will continue from day to day until completed or when adjourned by Attorney for Plaintiff.

The witness and The John G. Twist Company are requested to bring to the deposition all documents and things listed in Exhibit A attached hereto.

You are invited to attend and cross-examine.

BALLY MANUFACTURING CORPORATION


Donald L. Welsh
A. Sidney Katz
Jerold B. Schnayer
Fitch, Even & Tabin
135 South LaSalle Street
Chicago, Illinois 60603
(312) 372-7842

December 26, 1979

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing
Notice of Deposition were served by mailing copies to the
attorneys for defendants:

John F. Lynch, Esq.
Arnold, White & Durkee
2100 Transco Tower
Houston, Texas 77056

Melvin M. Goldenberg, Esq.
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One IBM Plaza
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Chicago, Illinois 60611

Gerson E. Meyers, Esq.
Dressler, Goldsmith, Clement, Gordon
& Shore, Ltd.
1800 Prudential Plaza
Chicago, Illinois 60601

postage prepaid, this 26th day of December, 1979.


Attorney for Plaintiff

EXHIBIT A

1. All documents including but not limited to expense records which refer to or relate to any contacts which occurred during the years 1973 through 1976, inclusive, including but not limited to trips, by any and all persons with any pinball manufacturers, prospective pinball manufacturers, or pinball game designers including but not limited to Milwaukee Coin Industries (MCI) which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Arlington Heights, Illinois, Bally Manufacturing Corporation, or Midway Manufacturing Corporation.

2. All documents including but not limited to expense records which refer to or relate to any contacts which occurred during the years 1973 through 1976, inclusive, including but not limited to trips, by any and all employees or agents of Rockwell International Corporation with any pinball manufacturers, prospective pinball manufacturers, or pinball game designers.

3. All documents including but not limited to expense records which refer to or relate to any contacts which occurred during the years 1973 through 1976, inclusive, including but not limited to trips, by any and all employees or agents of Rockwell International Corporation to Milwaukee Coin Industries (MCI) which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Milwaukee, Wisconsin, Dave Nutting

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2. All documents including but not limited to expense records which refer to or relate to any contacts which occurred during the years 1973 through 1976, inclusive, including but not limited to trips, by any and all employees or agents of Rockwell International Corporation with any pinball manufacturers, prospective pinball manufacturers, or pinball game designers.

3. All documents including but not limited to expense records which refer to or relate to any contacts which occurred during the years 1973 through 1976, inclusive, including but not limited to trips, by any and all employees or agents of Rockwell International Corporation to Milwaukee Coin Industries (MCI) which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Milwaukee, Wisconsin, Dave Nutting

Associates which was located in Arlington Heights, Illinois, Bally Manufacturing Corporation, or Midway Manufacturing Corporation.

4. All documents including but not limited to expense records which refer to or relate to any contacts which occurred during the years 1973 through 1976, inclusive, including but not limited to trips, by any and all employees or agents of The John G. Twist Company to any pinball manufacturers, prospective pinball manufacturers, or pinball game designers.

5. All documents including but not limited to expense records which refer to or relate to any contacts which occurred during the years 1973 through 1976, inclusive, including but not limited to trips, by any and all employees or agents of The John G. Twist Company to Milwaukee Coin Industries (MCI) which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Arlington Heights, Illinois, Bally Manufacturing Corporation, or Midway Manufacturing Corporation.

6. All documents including but not limited to expense records which refer to or relate to any contacts which occurred during the years 1973 through 1976, inclusive, including but not limited to trips, by local representatives of Rockwell International Corporation including but not limited to Al Carey, to any pinball manufacturers, prospective pinball manufacturers, or pinball game designers.

7. All documents including but not limited to expense records which refer to or relate to any contacts which occurred during the years 1973 through 1976, inclusive, including

but not limited to trips, by local representatives of Rockwell International Corporation including but not limited to Al Carey, to Milwaukee Coin Industries (MCI) which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Arlington Heights, Illinois, Bally Manufacturing Corporation, or Midway Manufacturing Corporation.

8. All documents which refer or relate to any actions taken or statements made by any and all persons as the result of any contacts with any employees or agents of pinball manufacturers, prospective pinball manufacturers, or pinball game designers including but not limited to contacts with any employees or agents of Milwaukee Coin Industries (MCI) which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Arlington Heights, Illinois, Bally Manufacturing Corporation, or Midway Manufacturing Corporation.

9. All documents which refer or relate to any actions taken or statements made by any and all employees or agents of Rockwell International Corporation during the years 1973 through 1976, inclusive, as the result of any contacts with any employees or agents of any pinball manufacturers, prospective pinball manufacturers, or pinball game designers.

10. All documents which refer or relate to any actions taken or statements made by any and all employees or agents of Rockwell International Corporation during the years 1973 through

1976, inclusive, as the result of any contacts with any employees or agents of Milwaukee Coin Industries (MCI) which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Milwaukee, Wisconsin, Dave Nutting Associates located in Arlington Heights, Illinois, Bally Manufacturing Corporation, or Midway Manufacturing Corporation.

11. All documents which refer or relate to any actions taken or statements made by any and all employees or agents of The John G. Twist Company during the years 1973 through 1976, inclusive, as the result of any contacts with any employees or agents of any pinball manufacturers, prospective pinball manufacturers, or pinball game designers.

12. All documents which refer or relate to any actions taken or statements made by any and all employees or agents of The John G. Twist Company during the years 1973 through 1976, inclusive, as the result of any contacts with any employees or agents of Milwaukee Coin Industries (MCI) which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Milwaukee, Wisconsin, Dave Nutting Associates located in Arlington Heights, Illinois, Bally Manufacturing Corporation, or Midway Manufacturing Corporation.

13. All documents which refer or relate to any actions taken or statements made by local representatives of Rockwell International Corporation including but not limited to Al Carey, during the years 1973 through 1976, inclusive, as the result of any contacts with any employees or agents of any pinball manufacturers, prospective pinball manufacturers, or pinball game designers.

14. All documents which refer or relate to any actions taken or statements made by local representatives of Rockwell International Corporation including but not limited to Al Carey, during the years 1973 through 1976, inclusive, as the result of any contacts with any employees or agents of Milwaukee Coin Industries (MCI) which was located in Milwaukee, Wisconsin, Dave Nutting Associates which was located in Arlington Heights, Illinois, Bally Manufacturing Corporation, or Midway Manufacturing Corporation.